

The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

Paper No. 33

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte TETSURO MOTOYAMA

Appeal No. 2003-0218
Application 09/108,705



ORDER REMANDING TO EXAMINER

Applicant filed on September 28, 2003 an Information Disclosure Statement ("IDS") (Paper No. 32). It is not apparent from the record that the examiner considered the IDS that was submitted nor notified applicant in writing that it has been considered.


Accordingly, it is

ORDERED that the application be remanded to the examiner for the consideration of the IDS filed on September 28, 2003, notification to applicant regarding such consideration, and any further action as may be appropriate.

**Appeal No. 2003-0218
Application 09/108,705**

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

**BOARD OF PATENT APPEALS
AND INTERFERENCES**



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